

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-12011-MLW

CARLOS A. AGUIAR,)
 Plaintiff)
)
 v.)
)
LIMA & CURA FISHING)
CORPORATION,)
 Defendant)

**DEFENDANT LIMA & CURA FISHING CORPORATION'S
MOTION FOR LEAVE TO FILE A REPLY BRIEF**

Now comes the defendant, Lima & Cura Fishing Corporation (the “defendant” or “Lima & Cura”) and hereby respectfully requests that this Court grant the defendant leave to file a reply brief to the plaintiff’s opposition to the defendant’s motion for summary judgment, pursuant to Local Rule 7.1(B)(3). As grounds for this Motion, the defendant states the following:

1. The defendant filed a Motion for Summary Judgment with this Court on or about December 21, 2005;
2. On or about January 27, 2006, the plaintiff filed an Opposition to the Defendant’s Motion for Summary Judgment;
3. In the plaintiff’s Opposition, the plaintiff raised several issues that require a response from the defendant; and
4. The defendant’s Reply to the plaintiff’s Opposition is succinct, addresses the new issues raised in the plaintiff’s Opposition, and will aid the Court in deciding the defendant’s original Motion for Summary Judgment.

WHEREFORE, the defendant respectfully requests that this Court grant the Defendant's Motion for Leave to File a Reply Brief.

For the Defendant,
Lima & Cura Fishing Corporation
By its attorneys,

REGAN & KIELY LLP

/s/ Joseph A. Regan
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed a true copy of the above document with the Clerk of the Court, which system will send notification of this filing to all counsel of record.

/s/ Joseph A. Regan
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Date: February 22, 2006